

Home (1942) Department.

VIS SERIES.

P^a(E)

G.O. No.	3573
Dated	7-10-1945

NA

[Despatch Abstract.]

Prisoners - Classification - Sanjeevanath - ~~616/128/42~~
C.C.No.128/42 on the file of the Sub Divisional Magistrate
Hospet - 'B' class - Recommendation - Accepted.

From

I.M.Fraser Esq, I.C.S.,
District Magistrate,
Bellary.

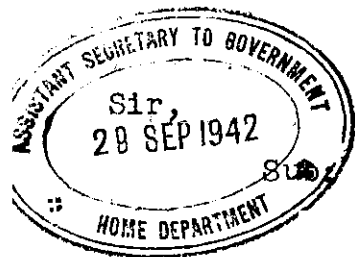
To

The Secretary to Government,
Home Department,

103670

Y. S. S.

Ref.c.No.1055/39 El Dated 25-9-42.



Sub: Political Agitation-Civil Disobedience Movement-
(Bellary)- Hospet Division- Sri Sanjeevanath of
Kampli-Convicted under the Defence of India Rules,
Proposals for placing him in 'B' Class-Submitted.

Sri Sanjeevanath of Kampli village in the Hospet Taluk was convicted by the Sub Divisional Magistrate, Hospet, on 18-9-42 under Rule 38(5) of the Defence of India Rules for doing a prejudicial act as defined in rule 38-1 (a) and 34-6(f) of the Defence of India Rules. He was sentenced to suffer rigorous imprisonment for one year and to pay a fine of Rs 500/- in default to undergo rigorous imprisonment for six months. He was committed to Kuppam Jail, Bellary.

2. It is reported that the prisoner is a Matriculate and an Ayurvedic Medical

practitioner earning Rs 100/- a month. He is said to possess landed property in the South Kanara District paying an assessment of Rs 120, to the Government. The Sub Divisional Magistrate, Hospet, recommends that he may be placed in 'B' class being a man of status and accustomed to a superior mode of living.. I agree with his recommendation and -- request the Government to approve of it..

A copy of the Judgment of the Committing Magistrate is enclosed.


District Magistrate

Copy of the Judgment.

IN THE COURT OF THE SUB DIVISIONAL MAGISTRATE, HOSPET.

Judgment in Calendar Case No.128/42 on the file
of the Sub Divisional Magistrate, Hospet.

Complainant... Rex. Sub Inspector of Police,
Kampli.

Accused ... Sanjeevanath,
Medical Practitioner, Kampli.

Offence ... Doing a prejudicial Act as defined
in rule 38 (1) (a) and rule 34(1)(f)
of the Defence of India rules -
punishable under rule 38 (5) of the
Defence of India Rules.

Finding ... Guilty.

Sentence ... Sentenced to Rigorous Imprisonment
for one year and to pay a fine of
Rupees Five hundred only in default
to undergo Rigorous Imprisonment for
six months.

Description of the accused.	1. Serial Number	1
	2. Name	Sanjeevanath
	3. Father's Name	Manjiah Setty
	4. Caste or race	Bunt. (Hindu)
	5. Occupation	Medical Practitioner, Kampli.
	6. Residence	Kampali
	7. Age	24 years.
Date of	8. Date of occurrence.	10-9-42.
	9. " complaint	18-9-42.
	10. " Apprehension or appearance.	18-9-42.
	11. " commencement of trial.	18-9-42.
	12. " close of trial.	18-9-42. ...
	13. " sentence or order.	18-9-42.
	14. Explanation for delay.	

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IN THE COURT OF THE SUB DIVISIONAL MAGISTRATE, HOSPET.

Present:- Sri G. Ethirajulu Naidu, B.A.

C.C. 128/42.

J U D G M E N T.

The accused is charged by the Sub Inspector of Police, Kampli, for an offence punishable under Rule 38(5) of the Defence of India Rules, in that he on 10-9-42, did a prejudicial act - calculated to promote feelings of hatred and enmity between the different classes of His Majesty's subjects - by writing "Quit India" posters and pasting them on the walls of public buildings at Kampli and by inducing the students of the Middle School to write the words "Quit India" in their school building.

2. Four witnesses were examined for the prosecution. P.W.1 - Sub Inspector of Police, Kampli, deposes that the accused, who is a Prema dispensary doctor at Kampli, is a congressite doing charka and Khadi propaganda. The movements of the accused were ~~are~~ watched by the Police after the cutting of the telegraph wires which took place at Kampli on 21-8-42. On the night of 10-9-42, some posters in English and Kanarese containing the words "Quit India" were pasted on the walls of some public buildings at Kampli and ~~in~~ in one of the Kanarese posters the names of some Ayurvedic medicines had been written in Kanarese. This handwriting was traced to be that of the accused. Further investigation disclosed that the accused had written the "Quit India" posters in pencil, had them inked by a school student, Veeranna by name, pasted them on the walls of public buildings and induced the students of the Middle school to write "Quit India" in the school building with a view to promote feelings of hatred and enmity towards the British people. The posters in English and in Kanarese are filed as Exhibit A and B respectively. The handwriting on the reverse of the Kanarese poster (Exhibit B) is

marked as Exhibit B.1. The Sub Inspector says that the accused is a Matriculate, keeps a dispensary of his own at Kampli, and gets therefrom a monthly income of Rs.100/- He is a man of status paying to Government, Land Revenue assessment of Rs.120/- in the South Kanara district and cultivates on lease about 9 acres of land at Kampli itself. P.W.2 is Veeranna, a student of the 3rd Form in the Middle school at Kampli. He was taking medicine under the accused and was thus known to him. He deposes that on 10-9-42, he was sent for by the accused to his dispensary and asked to ink some posters in English and Kanarese containing the words "Quit India". As desired by the accused, he inked the posters and helped the accused in pasting them on the walls of buildings at Kampli. He identified the posters Exhibits A and B as inked by him. The witness says that he does not know the significance of the words "Quit India" and that the students were induced by the doctor to write these words in the school building. P.Ws.3 and 4 are students of the 3rd Form in the Middle school at Kampli. Both of them depose, that the accused who used to go to their playground, induced them and some others to write "Quit India" in their school building about the time when posters containing the above words were pasted on the public buildings at Kampli. They add that they do not know the meaning of "Quit India" and that they are interested only in their studies.

3. When questioned by me on the evidence given by the P.Ws., the accused admitted having written the "Quit India" posters and pasted them on the walls of public buildings, but added that he did not induce the boys to write "Quit India" in their school.

To a charge framed under Rule 38-1(a), 34-6(f) read with Rule 38 (5) of the Defence of India Rules and explained to him, the accused pleaded guilty. I, therefore, find the accused guilty on his own admission and on the evidence against him

and convict him for an offence punishable under Rule 38 (5) of the Defence of India Rules.

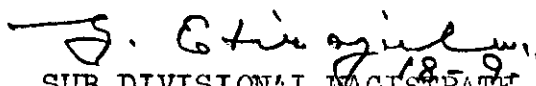
4. The accused is an educated man, besides being a medical practitioner. He is one interested in the furtherance of the present congress movement. There is no doubt that he knows the significance of the "Quit India" posters and has deliberately chosen to paste such posters on public buildings with a view to promote feelings of hatred and enmity towards the British people. A deterrent punishment is necessary. I, therefore, sentence him to undergo Rigorous imprisonment for a period of one year and to pay a fine of Rs.500/- (Five hundred only) in default ~~xx~~ to suffer Rigorous imprisonment for a period of six months.

5. As the accused is reported to be a person of status paying to Government, Land Revenue assessment of Rs.120/- and is accustomed to a superior mode of living by reason of his being a doctor getting a ~~monthly income~~ decent monthly income, he will be recommended for being placed in 'B' class.

(Pronounced in open court this 18th day of September 1942.)

Sd. G. Ethirajulu,
SUB DIVISIONAL MAGISTRATE,
18-9-42.

(True copy)


SUB DIVISIONAL MAGISTRATE. 18-9-42

List of P.Ws.

1. D.M. Veerappaji, S.I.
2. Veeranna,
3. Taranath,
4. Balayya.

List of Exhibits.

- A. Poster in English,
- B. Poster in Kanarese.
- B.1. The handwriting of the accused on the back of the Exhibit 'B'.

3/9

DRAFT FOR APPROVAL.

9
OCT. 14

Home Dept.

Date. Initials.

SUBJECT:—

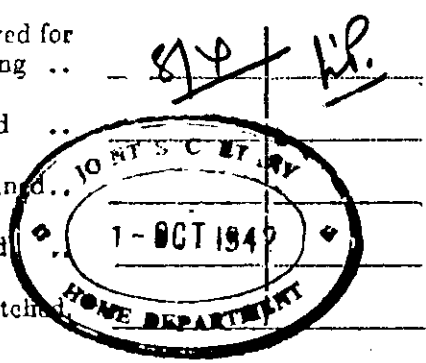
When received for
fair copying ..

When copied ..

When examined ..

When signed ..

When despatched ..



Prisoners - Classification - Sanjeevanath
C.C. NO 128/42 on the file of the
S. D. M. Hospet - 'B' class -
Recommendation - Accepted.

READ AGAIN .., dated ..

READ ALSO:—

C. No. 10369 D From the D. M. Bellary C. No. 1055 J.E.I dated 25.9.1942

" " " " " " 19

" " " " " " 10

Order Ms. No. 3693 dated 7/10/1942
Resolution Reqt.



The recommendation that
Sanjeevanath convicted in C.C. NO 128/42
on the file of the S. D. M. Hospet,
may be classified as 'B' class
prisoner is accepted.

To
The D. M. Bellary.
Supt. Alipuram Jail
Bellary.

For particulars regarding the social
status etc of the prisoner please see
para 2 on pp 1-2 CF.

Forwarded to
Prison

30.9.42
30.9.42

3/10/42 A3.

